

# Social Monitoring Report

---

September 2009

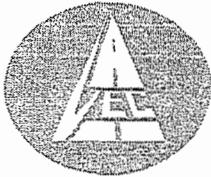
## VIE: Ho Chi Minh City-Long Thanh-Dau Giay Expressway Project

Prepared by EPC Co., Ltd. for the Viet Nam Expressway Corporation under the Ministry of Transport and the Asian Development Bank.

This social monitoring report is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

UDT



**VIETNAM EXPRESSWAY CORPORATION**

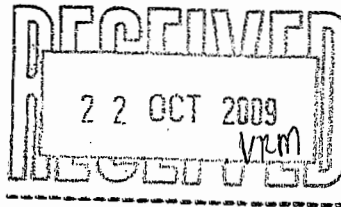
Add: Hamlet No. 2, Linh Nam Ward, Hoang Mai Dist., Hanoi, Vietnam

Tel: 84-4-36430275

Fax: 84-4-36430270

Email: duongcaotoc@vnn.vn

http://www.expressway.com.vn



Hanoi, October 21, 2009

Ref. No. 1436 /VEC-DA


<b>To:</b>	<b>Asian Development Bank (ADB)</b> 6 ADB Avenue, Mandaluyong City 1550 Metro Manila, Phillipines	
<b>Attention:</b>	<b>Mr. Ayumi Konishi</b> Country Director, VRM	Tel: 84-4-39331374
<b>Cc:</b>	<b>Mr. Le Dinh Thang</b> Program/Project Implementation Officer, VRM	Fax: 84-4-39331373
<b>From:</b>	<b>Dr. Mai Tuan Anh</b> Deputy General Director, VEC	Tel: 84-4-36430275 Fax: 84-4-36430270

**Subject: Loan 2374-VIE(SF): Ho Chi Minh City – Long Thanh – Dau Giay Expressway  
Technical Assistance Project - Independent Monitoring Report on  
Implementing the RP (the third time)**

Dear Mr. Konishi,

Based on project implementation progress, Vietnam Expressway Corporation (VEC) has prepared the Independent Monitoring Report on Implementing the RP (the third time) under above Project mentioned. Thus, we would like to submit this document to ADB for review.

Thank you for your support and assistance.

Best regards, 



**Dr. Mai Tuan Anh**  
Deputy General Director  
Vietnam Expressway Corporation

**Cc: Mr. Tran Xuan Sanh, General Director**

Received: 11 Nov 09  
Meline



**INVESTMENT AND ENVIRONMENT PROTECTION  
CONSULTATION COMPANY EPC**

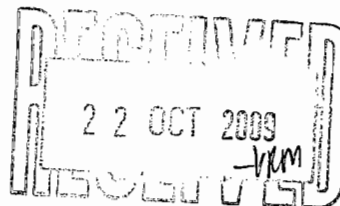
**EPC Co., LTD**

-----o0o-----

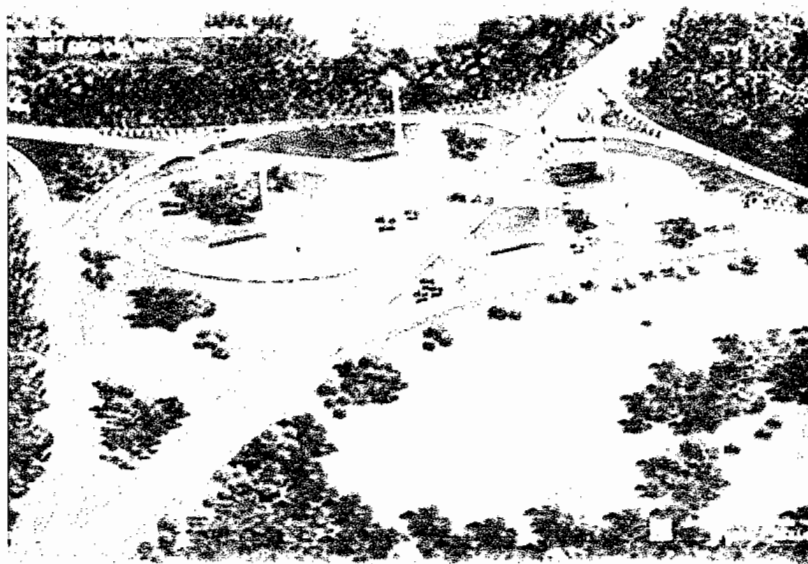
**Address:** E4, 1<sup>st</sup> floor, Block B2, 590 CMT8, Ward 11, Dist. 3, HCMC

**Tel:** (08) 38842448; (08) 38461195. **Fax:** (08) 38461195

**Email:** epc.co2003@gmail.com



**HO CHI MINH - LONG THANH - DAU GIAY  
EXPRESSWAY PROJECT**



**INDEPENDENT MONITORING REPORT  
ON IMPLEMENTING THE RESETTLEMENT PLAN (RP)**

*The third time*

**SOUTHERN EXPRESSWAY  
PROJECT MANAGEMENT UNIT**

**RECEIVED**

**Sig:**

*Am*

**Date:** 28/9/09

**Time:** *14h*

*SB-1011*

*Ho Chi Minh City, September 2009*

-----o0o-----

**Investment and Environment Protection  
Consultation Company EPC  
E.P.C Co., LTD  
No: 177/ EPC/2009**

*The third external monitoring report on  
implementing the RP of "HLD Expressway project"*

**SOCIALIST REPUBLIC OF VIETNAM  
Independence - Freedom - Happiness  
-----000-----**

*Ho Chi Minh City, September 22<sup>nd</sup> 2009*

**TO: - THE SOUTHERN EXPRESSWAY PROJECTS MANAGEMENT UNIT  
- NIPPON KOEI**

- Based on the agreement signed between the Investment and Environment Protection Consultation Company EPC (EPC Co.,LTD) as the external monitoring agency (EMA) and the Joint Venture (JV) of NIPPON KOEI, KRI and MKE dated September 22<sup>nd</sup>, 2008 ref. the external monitoring (EM) on implementing the resettlement plan (RP) of the HLD Expressway project;
  - Based on the third monitoring report, feedbacks from the Southern Expressway Management Unit (SEPMU) and revision of the EMA.
- EPC Co., LTD today would like to submit the official report of the third monitoring attached to the document. The report consists of 10 Vietnamese and 10 English copies.

Sincerely yours,

**Send to:**

- As above
- Store at the office

**EPC Co.,LTD  
DIRECTOR**



**NGUYEN NAM SON**

## TABLE OF CONTENTS

<b>ABBREVIATIONS .....</b>	<b>5</b>
<b>PART I. GENERAL.....</b>	<b>6</b>
1.1 Project background .....	6
1.1.1 Location of the project.....	6
1.1.2 Scope of the project.....	7
1.2 Implementation progress of the project .....	8
<b>PART II. INDEPENDENT MONITORING ON IMPLEMENTING THE RP ...</b>	<b>11</b>
2.1 The EMA of the project .....	11
2.2 Main tasks of the EMA .....	11
2.3 Monitoring methods.....	11
2.3.1 Study documents and records .....	11
2.3.2 Discussing some activities related to the RP with the project officials.....	12
2.3.3 Attending/witnessing the RP update and implementation activities .....	12
2.3.4 Site observation and taking typical pictures .....	12
2.4 The third external monitoring report on implementing the RP .....	12
2.5 Existing issues represented in the second monitoring report.....	12
<b>PART III. FINDINGS FROM THE THIRD MONITORING .....</b>	<b>14</b>
3.1 The RP update.....	14
3.1.1 All activities related to the RP update were almost finished .....	14
3.1.2 Progress of the DMS until August 31st 2009 .....	15
3.1.3 Progress of survey, appraisalment and approval of the replacement cost until August 31st 2009 .....	17
3.1.4 Preparing and approving compensation options.....	18
3.1.5 Progress of updated RPs preparation and submission until August 31st 2009 .....	19
3.2 The RP implementation .....	20
3.2.1 Training on procedures of payment, disbursement and striking balance .....	20
3.2.2 Creating the first and the second generation imprest accounts.....	20
3.2.3 Preparing compensation money of VEC and transferring to DCCs.....	21
3.2.4 Compensation payment.....	22
3.2.5 Complying with compensation payment confirmation procedures– payment minutes .....	22
3.3 Resettlement.....	23
3.3.1 The relocation need through DMS and consultation .....	23
3.3.2 Resettlement sites.....	24
3.3.3 Progress of the resettlement sites preparation.....	25
3.4 Existing issues/difficulties in localities.....	25

3.4.1	Some PAHs weren't carried out DMS.....	25
3.4.2	Paying the assistance for career change in Dong Nai province and expectation of PAHs.....	26
3.4.3	It is inconvenient to request both husband and wife to receive a small bonus for handing over their plane in a timely manner.....	26
3.4.4	Some plots in Thong Nhat district didn't have technical records.....	26
3.4.4	Preparation progress of Long An site was very late .....	26
<b>PART IV. CONCLUSION, EXISTING ISSUES AND RECOMMENDATION....</b>		<b>28</b>
4.1	Conclusion .....	28
4.2	Existing issues and recommendations .....	28
4.2.1	Some HHs weren't carried out the DMS .....	28
4.2.2	Paying the assistance for career change.....	28
4.2.3	The bonus payment for handing over plane that requires both husband and wife's signatures was causing annoyance.....	29
4.2.4	The Long An site preparation was late and recommendation of the consultant .....	29
<b>PART V: ANNEXES .....</b>		<b>31</b>
5.1	List of PAHs paid compensation until August 31st 2009.....	31
5.2	Some typical pictures of compensation payment.....	34
5.3	TOR for resettlement external monitoring.....	35

## LIST OF TABLES

Table 1. Main parameters of the project .....	7
Table 2. Main components of each bidding package.....	8
Table 3. Implementation progress of the project .....	9
Table 4. Some sections had been adjusted the landmarks .....	10
Table 5. Existing issues in the second monitoring and solving status .....	13
Table 6. Progress of the RP update .....	14
Table 7. Number of PAHs carried out DMS until August 31st 2009 .....	15
Table 8. Area of land which carried out DMS.....	16
Table 9. Progress of the replacement cost survey and valuation .....	17
Table 10. Progress of the preparation, approval of compensation options.....	18
Table 11. Implementation progress of the RP .....	20
Table 12. Locations opened second generation imprest accounts .....	21
Table 13. Amount transferred to DCCs by VEC .....	21
Table 14. Progress of compensation payment .....	22
Table 15. Resettlement need through DMS .....	23
Table 16. Resettlement sites.....	24
Table 17. Progress of resettlement sites preparation .....	25
Table 18. Summarizing existing issues and responsibilities.....	30

## LIST OF FIGURES

Figure 1. Location of the project and affected districts .....	6
Figure 2. Construction packages of the project .....	8



## ABBREVIATIONS

RP	Resettlement plan
DMS	Detailed measurement survey
VEC	Vietnam Expressway Corporation
SEPMU	Southern Expressway Projects Management Board
APs	Affected person
PAHs	Affected households by the project
LURC	Land use right certificate
DCC	District Compensation Council
PC	People's Committee
HCMC	Ho Chi Minh City
EPC Co.,LTD	Investment and Environment Protection Consultation Company EPC
TOR	Term of reference
EMA	External monitoring agency
ADB	Asian Development Bank
JBIC	Japan Bank for International Co-operation
SGIA	Second Generation Imprest Accounts
MOT	Ministry of Transport
HLD	Ho Chi Minh-Long Thanh-Dau Giay Expressway project

## PART I. GENERAL

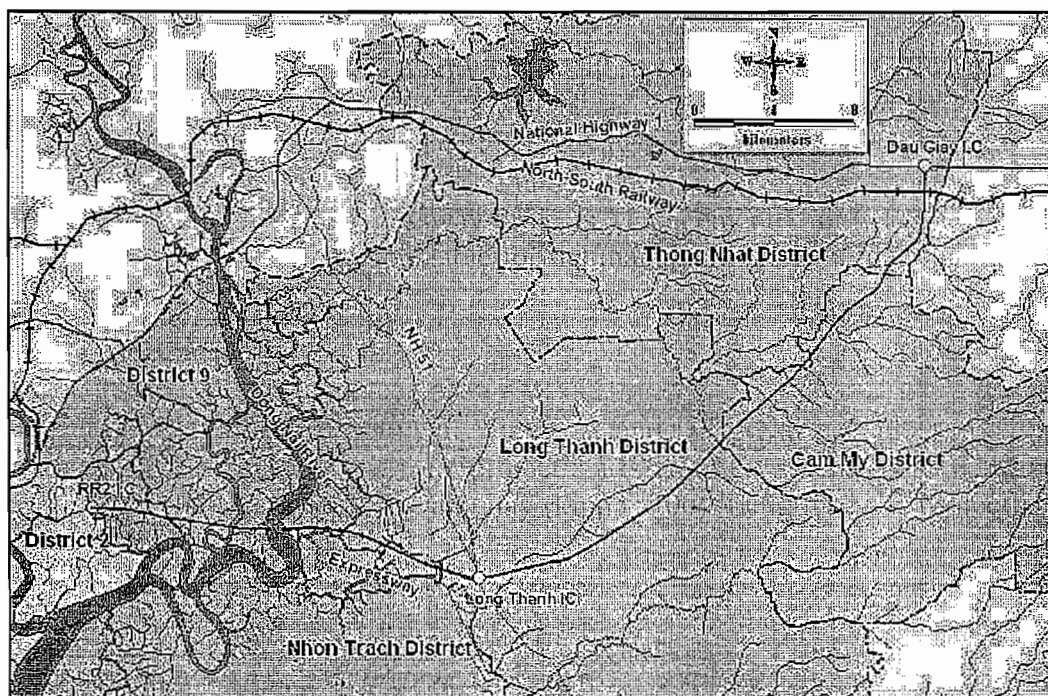
The independent monitoring on the resettlement plan (RP) of HLD expressway project is mobilized discontinuously within 25 months, corresponding to 8 monitoring times and reports. This is the third monitoring. All data related to the RP implementation progress is updated until August 31<sup>st</sup>, 2009.

### 1.1 Project background

The HLD Expressway is designed to ensure safety for high speed (120kph) vehicles, especially heavy means of transport. It will be a toll-expressway with entrances/exits strictly controlled by toll stations. The expressway will be owned and operated by the Viet Nam Expressway Corporation (VEC) under the Ministry of Transport (MOT). VEC has established the Southern Expressway Projects Management Unit (SEPMU) in Ho Chi Minh City (HCMC) which is responsible for the management of the detailed design and construction of the Expressway.

#### 1.1.1 Location of the project

The project is located between Ho Chi Minh City and Dong Nai province. It is a part of the national expressway network. The project starts from the interchange with the ring road No.2 (km4+000) and ends at Dau Giay (km55+300). Length of the project is about 51km. (Figure 1.1)



**Figure 1. Location of the project and affected districts**

In the first stage, 4 lanes (2 lanes in each direction) will be constructed. The expressway will traverse Long Truong, Long Phuoc, Truong Thanh and Phu Huu wards in District 9 of HCMC, a new bridge over the Dong Nai River, Long Thanh, Nhon Trach, Cam My, and Thong Nhat districts of Dong Nai province. The construction of the HLD Expressway will play a significant role in supporting regional and national economic

development, improving transportation and accelerating exterior communications along and at the ends of the expressway. The expressway will be a part of the national expressway network, an eastbound arterial route of the city and will also serve for the plan to develop a new international airport in Long Thanh district of Dong Nai province.

It starts from the interchange with the ring road No.2 (currently under construction) in District 9 of HCMC to the Dong Nai river. This section has a comparatively straight flat terrain. To pass the Dong Nai river, it needs to build an 2.2 km-long-concrete bridge over the Dong Nai river. Therefore, it needs two access roads at each end of the bridge to reach a navigation height of approximately 30 meters. From the bridge to Nhon Trach and Long Thanh districts, including Long Thanh townlet, its terrain is comparatively straight and flat too. From the intersection with the National Highway No.51, the expressway traverses the transitional area between the plain of the Dong Nai River and the Xuan Loc Highland. The terrain is mostly gently sloping down and then sloping up at the end of the road. The expressway ends at the intersection with the National Highway No.1 at Dau Giay.

The land acquired for the expressway is partly residential land but mostly agricultural land. There will be 5 small bridges in District 9 section. For approximately 6.6 kilometers of its length in District 9 from kilometer 4+200 to kilometer 10+800 on the eastern side of the Tac River, there will be an elevated viaduct. The bridge over the Tac River is a part of the viaduct. It plans to build overpasses or underpasses for local travelling at existing roads and to residential areas.

### 1.1.2 Scope of the project

The HLD project is started from the Ring Road No.2 to Dau Giay with a length of 51 km. The expressway has 3 interchanges, 12 small and medium bridges, 1 big bridge (Long Thanh bridge) and an intelligent transmission system ITS. Main parameters for the project are summarized in table 1.

Table 1. Main parameters of the project

Category	Item	Quantity	Note
Total length (Km)	Dyke	40,485m	79%
	Bridge/Elevated Viaduct	10,515m	21%
Bridge	Elevated Viaduct	6,517m	Over the Tac River
	Small bridges	2,277m	12 small bridges
	Long Thanh bridge	2,120m	Prefabricated concrete girder with the slope of 4%
Interchange		3 interchanges	RR2, National highway No.51, Dau Giay
Operation and maintenance system	Toll station	3 stations	Railing gate
	Traffic direction center	1 center	
Other	Technical maintenance station	2 stations	At km11 and Km41
	Management Center	2 center	

The project construction is divided into six construction bidding packages and one general package EPC, including entire work related to designing, supplying

materials/equipments and constructing for establishing an intelligent transmission system recommended by the PPTA group of ADB and JBIC (SAPROF) summarized in table 2 and represented in Figure 1.2. The construction bidding packages No.1A, 1B, 2, 3 and 4 will be used the loan from JBIC. The packages No.5 and 6 will be used the loan from ADB.

Table 2. Main components of each bidding package

Bidding package	Section 1 Km4+000- Km11+000 RR2 – Dong Nai River (7 km)	Section 2 Km11+000- Km14+100 Dong Nai river (3.1 km)	Section 3 Km14+100- Km23+900 Dong Nai river – interchange at National Highway No.51 (9.8 km)	Section 5&6 Km23+900-Km55+300 National Highway No.51 to Dau Giay (31.4 km)
Contract	Package 1A Package 1B	Package 2	Package 3	Package 5 Km23+900-Km37+800, Package 6 Km37+800-Km55+300
	Package 4 (ITS-general package EPC)			
Main component	Elevated viaduct Interchange at RR2 (6 km)	Long Thanh bridge Technical maintenance station	Dyke Weak ground treatment National Road No.51	Dyke Technical maintenance station Dau Giay interchange

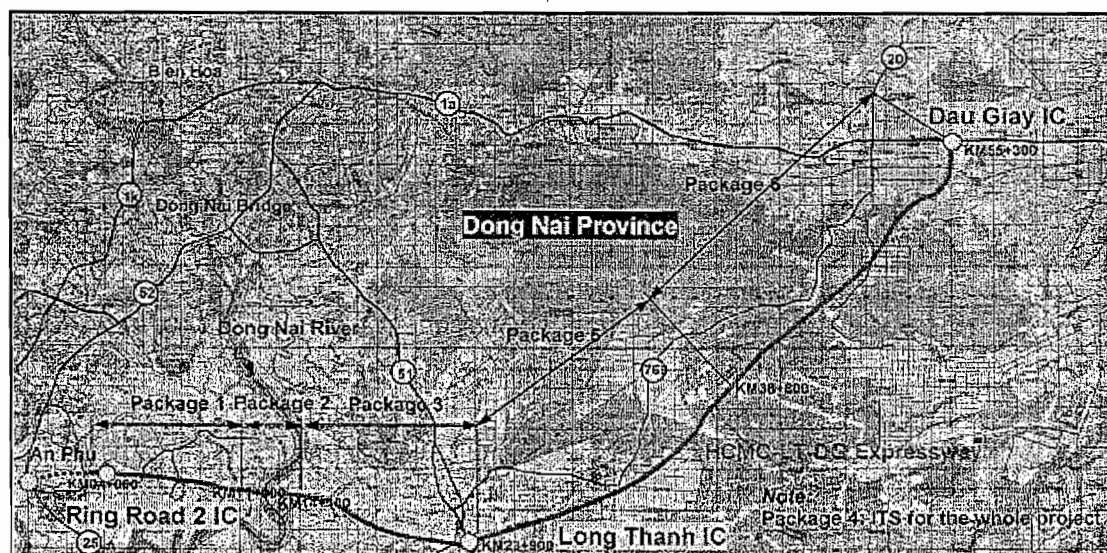


Figure 2. Construction packages of the project

## 1.2 Implementation progress of the project

Until August 31<sup>st</sup> 2009, there weren't any districts handing over plane for the project. Main works carried out in recent time were the preparation for starting the project construction. Implementation progress of the project is represented in table 3 below:

Table 3. Implementation progress of the project

No	Work	Description	Implementation progress
1	Detecting and disarming mines/explosives	Detecting and disarming mines/explosives for the additional design adjustment	Finished detecting and disarming mines/explosives for entire project
2	Preparation for starting the project construction	<ul style="list-style-type: none"> <li>- Preparing the schedule and plan for starting the construction</li> <li>- Preparing the plane for the groundbreaking ceremony of entire project</li> </ul>	<ul style="list-style-type: none"> <li>- VEC was selecting agencies organizing the event.</li> <li>- All PAHs within 400m of the groundbreaking areas had been paid compensation and the plane will be handed over for the construction contractor at beginning of September 2009.</li> </ul>
3	Technical assistance component: the design	+ The packages No.1B, 2, 3 and 5	The technical designs were approved
		+ The package No.4	VEC has submitted the basic design to the Ministry of Transport for approval
		+ The package No.6	The design was being appraised by VEC
4	Technical assistance component: Preparation of tender invitation documents for the packages No. 1B, 2, 3, 5 and 6	Preparing tender invitation documents for the packages No. 1B, 2, 3, 5 and 6	The consultant has submitted to VEC
5	Technical records of designed locations	<ul style="list-style-type: none"> <li>- Some locations of underpasses and overpasses according to the technical design.</li> <li>- Estimating for the measurement of underpasses and overpasses according to the technical design</li> </ul>	<ul style="list-style-type: none"> <li>- Submitted to Dong Nai province's PC for approval of the locations</li> <li>- Submitted to Dong Nai province's Environment and Natural Resources Department. Had been approved and being implemented</li> </ul>

As for the package No.1A chosen for the groundbreaking ceremony of the project, the technical design appraisal was finished and put out to tender in December, 2008. The China Roads and Bridges Corporation (CRBC) was selected as the construction contractor of the package and signed a contract with VEC. The construction supervisor was also selected (the Joint-venture of NIPPON KOEI and TEDISouth). As estimated, the construction of package No.1A will be started at the end of September, 2009.

During the technical design stage, the whole project was determined at the project site and some locations have been changed, including: (i) Dau Giay interchange, toll-gate

No.3 underpasses and overpasses; (ii) Some locations had been adjusted the landmarks according to the technical design, concretely:

Table 4. Some sections had been adjusted the landmarks

No	Starting point	Ending point	Side	Note
1	30+060	30+200	left	Collapsed hole
2	33+600	33+860	left	Underpass No. 5
	33+600	33+860	right	
3	34+420	34+760	left	Overpass No.1
	34+420	34+760	right	
4	47+640	47+900	left	Border between Song Nhan and Xuan Que communes
	47+640	47+900	right	
5	52+200	52+840	left	Toll-gate No. 3
	52+200	52+840	right	
6	53+600	54+100	left	Overpass of the railway
	53+600	54+100	right	

The changed design will certainly cause adjustment of land acquisition and prolong the RP implementation.

## **PART II. INDEPENDENT MONITORING ON IMPLEMENTING THE RP**

RP implementation is a complicated task and related to social safeguard. Therefore, international sponsors always request a monitoring system on implementing the RP, including: (i) internal monitoring by the investor; (ii) monitoring by sponsors and (iii) external monitoring by an independent agency. The external monitoring is to supply independent and objective information about issues arising during the RP implementation and to prove that the RP implementation is complied with the approved one and then propose solutions to deal with existing issues if any.

Contents of this part consist of: (i) the external monitoring agency (EMA) of the project; (ii) tasks of the EMA and (iii) monitoring methods.

### **2.1 The EMA of the project**

The independent monitoring on implementing RP of this project is carried out by the Investment and Environment Protection Consultation Company EPC (EPC Co.,LTD) locating in Ho Chi Minh city. This agency has supplied several similar services to the projects financed by international organizations such as World Bank, AusAID... According to the TOR, the external monitoring will have eight times. Tasks of the EMA as stated in the TOR are generalized in the item 2.2 below:

### **2.2 Main tasks of the EMA**

Main objects of the independent monitoring are to check and assess periodically following issues: (i) results of the resettlement objectives achieved through the RP implementation; (ii) change in living standards and way of earning; (iii) rehabilitation of the socio-economic status for PAHs; (iv) effect and guarantee of entitlements for PAHs and (v) necessity for mitigation measures application. By the RP monitoring and assessment, we can learn some lessons for planning and preparing policies in the next stage. It can be achieved through studying and assessing the living rehabilitation carried out within 6-12 months after the RP implementation is completed. Main tasks of the EMA is presented in detail via the TOR attached to the annex.

### **2.3 Monitoring methods**

Since the RP activities usually take place during a prolonged time and each stage will have different activities, therefore different methods will be used in each stage of the project. At the third monitoring time, the RP was being updated. Therefore, in this report, the consultant represents monitoring methods related to the RP update activities.

#### **2.3.1 Study documents and records**

Study documents related to the project, including the RP, TOR for the external monitoring, TOR for the social consultant related to updating the RP, DMS forms, guides for DMS procedure, questionnaires for socio-economic survey, decisions on land acquisition, land use right certificates (LURCs) of PAHs, compensation records including



asset inventory minutes, compensation calculation sheets, minutes of compensation payment, complaint petitions (if any), loan agreement, procedures of disbursement, total disbursement cost and comparison with one in the compensation options of the districts.

### **2.3.2 Discussing some activities related to the RP with the project officials**

Discussing with: (i) SEPMU's officials. Some information that needs to be discussed with SEPMU's officials consists of loan agreement and provisions related to disbursement, conditions of disbursement, creating Second Generation Imprest Account (SGIA), procedure of disbursement, internal and independent monitoring and their reports... Besides, it also needs to collect information about agreement of SEPMU with local authorities about the RP implementation, for example progress, the RP implementation arrangement, responsibility of stakeholders in the RP update and implementation, replacement cost survey, compensation payment, resettlement sites, or existing issues and difficulties encountered during the RP implementation, etc. (ii) DCCs. Some information that needs to be discussed with DCCs consists of implementation progress of the DMS, compensation calculation and arisen issues and (iii) the social consultant, talking to the social consultant about the DMS and RP update.

### **2.3.3 Attending/witnessing the RP update and implementation activities**

The independent monitoring team directly participated in the DMS team and witnessed, observed the measurement, public consultation... for several times. Objects of the observation were officials of DCCs and commune's officials who directly participated in the DMS, PAHs and public consultation meetings hold by the social consultant.

Besides, during the compensation payment for all paid PAHs, the monitoring team also always witnessed/followed to ensure that the payment was observed regulations.

### **2.3.4 Site observation and taking typical pictures**

Apart from the DMS participation/witness, the monitoring team also studied on the resettlement sites preparation and the RP implementation such as reviewing the living conditions of some PAHs, site observation and construction progress of resettlement sites.

## **2.4 The third external monitoring report on implementing the RP**

According to the TOR, the external monitoring will have 8 times, corresponding to 8 reports. This is the third one. Main contents of the report include: (i) the RP implementation progress and (ii) findings from the third monitoring.

## **2.5 Existing issues represented in the second monitoring report**

There were some existing issues related to the RP implementation represented in the second monitoring report. Until the third monitoring, all the issues had been solved as represented in table 5 below:



### PART III. FINDINGS FROM THE THIRD MONITORING

The RP implementation during the third monitoring (in the second and the third quarters of 2009) was continuously making a good progress. The RP update was continued although the DMS was interrupted. The RP was switched to the implementation as payment and land acquisition. To prepare for the compensation payment, some assistance activities were carried out such as training on opening account, paying and striking balance procedures, announcing on detailed compensation options for PAHs. In this report, the consultant will generalize all activities related to the RP implementation, firstly the RP update.

#### 3.1 The RP update

##### 3.1.1 All activities related to the RP update were almost finished

Activities related to the RP update were being continued inspite of rather late and summarized in table 6 below:

Table 6. Progress of the RP update

No	Main activities related to the RP updated that mentioned in the RP	Progress	
		Time of completion according to the RP	Actual implementation until August 31 <sup>st</sup> , 2009
1	DMS (varies by the districts)	December, 2008	
1.1	District 9 - HCMC		96%
1.2	Dong Nai province		84%
2	The replacement cost survey, appraisalment and approval	December, 2008	Finished
3	Public consultation on the updated RP	December, 2008	Finished
4	Livelihood restoration programs design	December, 2008	Being designed
5	Identifying the resettlement sites <sup>1</sup>	December, 2008	Finished
6	RP preparation	December, 2008	Only Nhon Trach district was completed; the four remaining districts were finished the first stage
7	Submission updated RPs for approval	January, 2009	- Nhon Trach district was finished - District 9, Long Thanh, Cam My, Thong Nhat districts submitted for the first stage ones.
8	Approval of updated RPs	February, 2009	- Nhon Trach district was approved all; - District 9, Long Thanh, Cam My, Thong Nhat districts were approved for the first stage ones

<sup>1</sup> Results of the DMS and public consultation revealed that PAHs wanted to resettle at resettlement sites in district 9, HCMC and Long Thanh district, Dong Nai province. Other districts of Dong Nai province, PAHs didn't want to resettle at resettlement sites, therefore it doesn't need to build resettlement sites only for HLD project in these districts.

Table 5. Existing issues in the second monitoring and solving status

No	Existing issues	Recommendation	Resolution
1	Progress of the RP update was rather late due to lack of DMS data.	<ul style="list-style-type: none"> <li>- Should allow dividing the RP into two volumes and approve the second volume in two phases.</li> <li>- Should divide the updated RP into two volumes.</li> <li>- Should prepare the updated RP in many phases.</li> </ul>	Implemented
2	The compensation prices were approved late	Should approve prices soon	Approved
3	Compensation options preparation was rather late	Should allow all the districts to prepare and submit the compensation options for approval in several times	Prepared
4	Forms of compensation payment minute and general compensation payment	Should approve the forms suggested by the EMA soon	Agreed and implemented

### PART III. FINDINGS FROM THE THIRD MONITORING

The RP implementation during the third monitoring (in the second and the third quarters of 2009) was continuously making a good progress. The RP update was continued although the DMS was interrupted. The RP was switched to the implementation as payment and land acquisition. To prepare for the compensation payment, some assistance activities were carried out such as training on opening account, paying and striking balance procedures, announcing on detailed compensation options for PAHs. In this report, the consultant will generalize all activities related to the RP implementation, firstly the RP update.

#### 3.1 The RP update

##### 3.1.1 All activities related to the RP update were almost finished

Activities related to the RP update were being continued inspite of rather late and summarized in table 6 below:

Table 6. Progress of the RP update

No	Main activities related to the RP updated that mentioned in the RP	Progress	
		Time of completion according to the RP	Actual implementation until August 31 <sup>st</sup> , 2009
1	DMS (varies by the districts)	December, 2008	
1.1	District 9 - HCMC		96%
1.2	Dong Nai province		84%
2	The replacement cost survey, appraisement and approval	December, 2008	Finished
3	Public consultation on the updated RP	December, 2008	Finished
4	Livelihood restoration programs design	December, 2008	Being designed
5	Identifying the resettlement sites <sup>1</sup>	December, 2008	Finished
6	RP preparation	December, 2008	Only Nhon Trach district was completed; the four remaining districts were finished the first stage
7	Submission updated RPs for approval	January, 2009	- Nhon Trach district was finished - District 9, Long Thanh, Cam My, Thong Nhat districts submitted for the first stage ones.
8	Approval of updated RPs	February, 2009	- Nhon Trach district was approved all; - District 9, Long Thanh, Cam My, Thong Nhat districts were approved for the first stage ones

<sup>1</sup> Results of the DMS and public consultation revealed that PAHs wanted to resettle at resettlement sites in district 9, HCMC and Long Thanh district, Dong Nai province. Other districts of Dong Nai province, PAHs didn't want to resettle at resettlement sites, therefore it doesn't need to build resettlement sites only for HLD project in these districts.

Main activities related to the RP update are DMS, appraisal/approval for the replacement cost, detailed compensation option preparation for each HH, preparing the updated RP and then submitting it to ADB for approval. These activities are represented below.

### 3.1.2 Progress of the DMS until August 31<sup>st</sup> 2009

DMS is one of important activities of the RP implementation. The DMS couldn't be finished due to many reasons. A main problem is limitation in land data management in localities. Until August 31<sup>st</sup> 2009, the DMS of the whole project was carried out about 87% and represented in table 7 below:

Table 7. Number of PAHs carried out DMS until August 31<sup>st</sup> 2009

No	Locality	Number of PAHs as estimated	Number of PAHs identified until August 31 <sup>st</sup> 2009	Number of PAHs carried out the DMS	
				Amount	Rate (%)
<b>I.</b>	<b>District 9- HCMC</b>	<b>218</b>	<b>220</b>	<b>211</b>	<b>96%</b>
1	Phu Huu ward	109	103	103	100%
2	Long Truong ward	59	51	49	96%
3	Long Phuoc ward	46	62	62	100%
4	Truong Thanh ward	4	4	3	75%
<b>II.</b>	<b>Nhon Trach district</b>	<b>63</b>	<b>63</b>	<b>63</b>	<b>100%</b>
1	Phuoc Thien commune	63	63	63	100%
<b>III</b>	<b>Long Thanh district</b>	<b>460</b>	<b>460</b>	<b>325</b>	<b>71%</b>
1	Binh Son commune	42	42	38	90%
2	Binh An commune	16	16	16	100%
3	Tam An commune	52	52	21	40%
4	An Phuoc commune	38	38	20	53%
5	Long Thanh townlet	102	102	81	79%
6	Long An commune	210	210	149	71%
<b>IV</b>	<b>Cam My district</b>	<b>186</b>	<b>186</b>	<b>186</b>	<b>100%</b>
1	Song Nhan	186	186	186	100%
<b>V</b>	<b>Thong Nhat</b>	<b>152</b>	<b>157<sup>2</sup></b>	<b>157</b>	<b>100%</b>
1	Xuan Thanh commune	146	139	139	100%
2	Lo 25 commune	6	18	18	100%
	<b>Total</b>	<b>1,079</b>	<b>1,086</b>	<b>942</b>	<b>87%</b>

Total PAHs and number of PAHs carried out DMS until August 31<sup>st</sup> 2009 are different from the data represented in the second monitoring since there were some households found out during the DMS. Area of all affected land categories inventoried is represented in table 8 below:

<sup>2</sup> It doesn't include number of HHs affected by intersection between local roads and the HLD expressway due to the lack of technical documents of plots in the area

Table 8. Area of land which carried out DMS

Locality	Land category	Total of affected land area (ha)	Area of land carried out the DMS (ha)	Completed rate (%)
I. District 9	Agricultural land	37.659	31.4662	83.6%
	Residential land	1.486	1.486	100%
	Road, drainage system, collective land	13.793	13.793	100%
II. Long Thanh district	Agricultural land	78.6247	78.6247	100%
	Residential land	4.9317	4.9317	100%
	Road, drainage system, collective land	60.0955	41,7936	69.5%
III. Nhon Trach district	Agricultural land	16.6535	16.6535	100%
	Residential land	0	0	
	Road, drainage system, collective land	2.1188	2.1188	100%
IV. Cam My district	Agricultural land	57.9105	57.9105	100%
	Residential land	1.17	1.17	100%
	Road, drainage system, collective land	18.3372	18.3372	100%
V. Thong Nhat district	Agricultural land	15.7189	15.7189	100%
	Residential land	0.6725	0.6725	100%
	Road, drainage system, collective land	52.3391	15.4424	29.5%

Before carrying out the DMS, the DCCs had delivered form of assets inventory to the HHs and advised time for the inventory in advanced. During the DMS, besides officials of DCCs, PAHs were also present and signed inventory minutes and each HH kept one copy of their minute (after being signed and sealed) .

During the DMS, some HHs were not present and the DCCs had to inventory without presence of the households. Before inventorying without the owners, DCCs had advertisements about plots not identified owners in mass media. This information was inserted on the newspapers (Saigon Giai Phong and Dong Nai newspapers) three continuous times and disseminated via loud speaker at communes/wards.

Some HHs couldn't be present at the DMS since they live at other places and bought land for business, not for cultivation (mainly agricultural land). Therefore, the local authorities couldn't contact with them.

### 3.1.3 Progress of survey, appraisal and approval of the replacement cost until August 31<sup>st</sup> 2009

DMS data is a basis to identify quantity of affected assets. Beside the assets quantity, as stated in the RP, during the RP update, the investor has to hire external valuers to survey/value the replacement cost and issue price valuation certificates for affected land, architectural works and farm produces on the acquired land in each province/city. Based on the certificates, an appraisal council of the province/city will appraise and submit to the provincial PC for approval. The approved cost will be one of bases to calculate compensation cost for the updated RP and for PAHs.

Until August 31<sup>st</sup> 2009, the replacement cost survey had been finished. After considering/appraising the replacement costs in the price valuation certificates, PCs of HCMC and Dong Nai province approved for the prices applied in this project. Progress of the replacement cost survey and valuation can be summarized below:

Table 9. Progress of the replacement cost survey and valuation

No	Activities	Implementation progress	
		HCMC	Dong Nai
1	Replacement cost valuation for the whole project	January, 2009	January, 2009
2	External valuers submit price valuation certificates	The price valuation certificate No. Vc 09/02/20/CCTT-BDS dated February 19 <sup>th</sup> 2009 issued by the Southern Information and Valuation Corporation on the price for agricultural land inserting residential area on some sections in district 9.	Dong Nai Valuation Corporation: - The price valuation certificate No. 121/TDG-CT dated February 9 <sup>th</sup> 2009 ref. price for farm produces and trees; - The price valuation certificate No. 122/TDG-CT dated February 9 <sup>th</sup> 2009 ref. price for houses, architectural works; - The price valuation certificate No. 123/TDG-CT dated February 9 <sup>th</sup> 2009 ref. land use right.
3	The provincial appraisal council presided over by Department of Finance to review the price valuation certificates by external valuers and submit them to provincial PC for approval	Document No. 2315/STC-HDTDBT-BVG dated March 20 <sup>th</sup> 2009 issued by the city's CC ref. price for agricultural land neighboring residential areas to calculate compensation, assistance for HLD expressway project within district 9.	Document No. 198/STC-GCS dated February 11 <sup>th</sup> 2009 reports on results of the meeting ref. agreement to compensation cost for land, houses, architectural works, other assets, crops for HLD expressway project.
4	Provincial PCs	- Document No.	- Document No. 1062/UBND-KT

No	Activities	Implementation progress	
		HCMC	Dong Nai
	approve the price list for the project	4645/UBND-DTMT dated July 23 <sup>rd</sup> 2008 issued by PC of HCMC regarding compensation price for residential land - Document No. 2210/UBND-DTMT dated May 20 <sup>th</sup> 2009 regarding compensation price for agricultural land inserting residential areas.	dated February 13 <sup>th</sup> 2009 issued by Dong Nai province's PC ref. land price for Long Thanh and Nhon Trach districts - Decision No. 92/2008/QD-UB dated December 30 <sup>th</sup> 2008 regarding compensation price for land and document No. 3861/UBND-KT dated May 21 <sup>st</sup> 2009 stipulates assistance for affected land in Thong Nhat and Cam My districts.

### 3.1.4 Preparing and approving compensation options

Basing on DMS data and approved prices for all assets, DCCs had prepared detailed compensation option for each PAH. Updated RPs used data from detailed compensation options for HHs.

Until August 31<sup>st</sup> 2009, DCCs had prepared compensation options for affected assets in the project area. Three districts issued decisions of compensation option approval, namely (i) District 9 approved for 57 HHs in the first stage; (ii) Long Thanh district approved for 153 PAHs in 8 stages and (iii) Nhon Trach district approved for all PAHs (63 HHs). Progress of the approval is represented in detail below:

Table 10. Progress of the preparation, approval of compensation options

No	Locality	Number of PAHs	Submitted compensation options	Approved compensation options
1	District 9	220	174	57
2	Long Thanh district	460	177	153
3	Nhon Trach district	63	63	63
4	Cam My district	186	91	0
5	Thong Nhat district	157	144	0
	<b>Total</b>	<b>1,086</b>	<b>649/1,086 (60%)</b>	<b>273/649 (42%)</b>

Although Cam My district submitted compensation option on June 19<sup>th</sup> 2009, until August 31<sup>st</sup> 2009, the option wasn't approved due to a mistake in the compensation option. Song Nhan is a plain commune whereas it was identified as a mountainous in compensation options prepared by compensation council of Cam My dist. Therefore, it needs to adjust assistance in order to be appropriate with reality. Moreover, compensation

prices have just been approved in July, 2009, so detailed compensation options couldn't be approved immediately.

For Thong Nhat district, it submitted compensation options on June 26<sup>th</sup> 2009. However, the options weren't approved since technical records of 24 acquired plots transmitted from Cam My district that weren't supplied sufficiently in the submitted documents.

### **3.1.5 Progress of updated RPs preparation and submission until August 31<sup>st</sup> 2009**

The RP of the project was prepared by Finnroad Ltd, Helsinki, Finland and Bach Khoa Engineering Consultant Company Ltd in May 2008. The RP is based on the involuntary resettlement policy of Asian Development Bank (ADB) and related regulations of Vietnam. The RP was approved by competent authorities of Vietnam and ADB in 2008. The approved RP is one of bases for ADB's approval for the project loan.

During the project implementation, the borrower has to commit themselves to complying with the RP. As the approved RP, the RP has to be updated during the project implementation. That means it needs to collect exact data about quantity of affected assets and PAHs, combine with the replacement cost survey and then the updated RP has to be submitted to ADB for approval again as a base for the compensation.

To hasten progress of the RP update, updated RP was prepared separately for each district. There are 5 districts affected by the project. The social consultant belonging to NIPPON-KOEI is responsible for updating the RP. The RP update is based on DMS data and results of the replacement cost valuation. The updated RP has to be submitted to ADB for approval.

Because of many reasons, especially the limitation in land management of local authorities such as wrong name, area, unfound owners..., therefore some activities related to land acquisition had to be carried out again and again and finally the DMS couldn't be finished. As a result, the RP update couldn't be finished at the end of August 2009 as planned.

To ensure the implementation progress of the project, particularly the land acquisition for starting the construction of package No.1A and package No.3 as the approved schedule, the social consultant of NIPPON KOEI and stakeholders agreed that the updated RP would be prepared for many stages, concretely:

- The updated RP of district 9, HCMC (package No. 1A, 1B and a part of package No.2) is submitted to ADB for approval in two stages: (i) In the first stage, the updated RP including 174 PAHs (of which 13 HHs within 400m of groundbreaking area belonging to package No.1A) was submitted to ADB and approved at the beginning of July 2009; (ii) the second stage is submitted in September, 2009.
- The updated RP of Nhon Trach district (a part of package No.3) had been submitted to ADB and then was approved on August 4<sup>th</sup> 2009;
- The updated RP of Long Thanh district (package No.2 and package No.3) is divided into 3 stages: (i) the first stage includes 130 HHs that was approved by ADB on August 4<sup>th</sup> 2009; (ii) the second stage will be submitted in October 2009; (iii) the third stage will be submitted in April 2010;



- For Cam My and Thong Nhat (packages No 5 and No.6) updated RPs are divided into 2 stages. The first was submitted in July 2009; the second will be submitted in September 2009.

The implementation progress of the RP update is generalized in table 11 below:

Table 11. Implementation progress of the RP

No	Locality	Progress of submitting updated RP to ADB until August 31 <sup>st</sup> 2009	Progress of approving updated RPs of ADB until August 31 <sup>st</sup> 2009
1	District 9, HCMC	The updated RP in the first stage was submitted to ADB	Approved by ADB on July 7 <sup>th</sup> 2009
2	Nhon Trach district, Dong Nai province	The updated RP was submitted to ADB	Approved by ADB on August 4 <sup>th</sup> 2009
3	Long Thanh district, Dong Nai province	The updated RP in the first stage was submitted to ADB	Approved by ADB on August 4 <sup>th</sup> 2009
4	Cam My district, Dong Nai province	The updated RP in the first stage was submitted to ADB	Approved by ADB on August 25 <sup>th</sup> 2009
5	Thong Nhat district, Dong Nai province	The updated RP in the first stage was submitted to ADB	Approved by ADB on August 25 <sup>th</sup> 2009

The approval of ADB on updated RPs is an important base to switch to the RP implementation stage, including compensation, payment and land acquisition.

### 3.2 The RP implementation

#### 3.2.1 Training on procedures of payment, disbursement and striking balance

At the office of district 9's PC-HCMC, VEC hold a training workshop for agencies involving in procedures of transferring money, payment, disbursement and striking a balance for loan borrowed from ADB for compensation on July 10<sup>th</sup> 2009. Representatives of Ministry of Finance, Vietinbank, DCCs, the external monitoring agency, the social consultant and the investor were present at the meeting. Although the representative of ADB was absent, a representative of Ministry of Finance was authorized to guide all requirements of ADB. The representative of Ministry of Finance and Vietinbank introduced and guided procedures of disbursement, payment and striking the balance. All queries/questions of DCCs were also answered. Vietinbank also guided all procedures so that DCCs can co-operate with them to implement.

#### 3.2.2 Creating the first and the second generation imprest accounts

VEC is the owner of the first generation account. This account was opened at Vietinbank, Chuong Duong branch in Long Bien District, Ha Noi City. VEC receives money from ADB and transfers to DCCs via this account.

Before implementing the HDL expressway project, all DCCs had accounts at District National Treasuries. To satisfy the requirement of ADB, DCCs had to open second generation imprest accounts at commercial banks so that they can be audited and checked

the flowing of money transferred to VEC by ADB. So far, Vietinbank has been chosen to open second generation imprest accounts. Vietinbank was established in 1988 after being separated from the State Bank of Vietnam. Vietinbank is one of the four biggest commercial banks in Vietnam with total properties hold more than 25% of market share in Vietnam Bank system. Vietinbank has a large business network on the whole country with 2 transaction departments, 130 branches and 170 transaction places. Vietinbank signed 8 credit agreements with Belgium, Germany, Korea, and Switzerland and communicates with 735 big banks of 60 countries. Vietinbank is pioneering in using of modern technology and electronic commerce in Vietnam. Therefore, it is completely satisfied requirements of ADB to choose Vietinbank to open the second generation imprest accounts. Locations to open second generation imprest accounts of DCCs are represented in table 12 below:

Table 12. Locations opened second generation imprest accounts

No	Districts' CC	Locations opened second generation imprest accounts
1	CC of district 9	Vietinbank- South Saigon Branch
2	CC of Long Thanh district	Vietinbank- Long Thanh district Branch
3	CC of Nhon Trach district	Vietinbank- Nhon Trach district Branch
4	CC of Cam My district	Vietinbank- Nhon Trach district Branch
5	CC of Thong Nhat district	Vietinbank- Long Thanh district Branch

### 3.2.3 Preparing compensation money of VEC and transferring to DCCs

To stabilize life of PAHs soon, VEC had actively transferred to DCCs hundreds of billion VND to pay for PAHs while waiting money from ADB so that DCCs could early pay for PAHs. Amount transferred to DCCs by VEC until August 31<sup>st</sup>, 2009 is represented in table 13 below:

Table 13. Amount transferred to DCCs by VEC

No	CC of district	Amount transferred to DCC by VEC (VND)
1	CC of district 9	82,500,000,000
2	CC of Long Thanh district	73,700,000,000
3	CC of Nhon Trach district	12,900,000,000
4	CC of Cam My district	300,000,000
5	CC of Thong Nhat district	200,000,000
	<b>Total (VND)</b>	<b>169,600,000,000</b>
	<b>Convert to USD</b>	<b>9,422,222 USD</b>

### 3.2.4 Compensation payment

Once PAHs agreed to the project, they all expect to receive the compensation soon. After compensation price units were approved and announced to PAHs, most of PAHs agreed to the prices and wanted to be received compensation soon to stabilize their living. So far, three districts have paid compensation for PAHs from money transferred by VEC. Compensation progress for PAHs until August 31<sup>st</sup> 2009 is summarized in table 14 below:

Table 14. Progress of compensation payment

No	Locality	Number of PAHs issued approval decisions of compensation price	Compensation amount	Number of PAHs having received compensation	Paid
1	Long Thanh district	153	73,462,933,262	101	21,251,998,874
2	Nhon Trach district	63	12,703,414,000	55	10,999,244,000
3	District 9	57	87,726,179,000	32	43,053,506,200 <sup>3</sup>
	<b>Total (VND)</b>	<b>273</b>	<b>173,892,526,262</b>	<b>188</b>	<b>75,304,749,074</b>
	<b>Convert to USD</b>		<b>9,660,696 USD</b>		<b>4,183,597 USD</b>

In general, until August 31<sup>st</sup> 2009, 188 HHs had received compensation, accounting for  $(188/1,086) = 17.31\%$ .

### 3.2.5 Complying with compensation payment confirmation procedures– payment minutes

As required by ADB, during the compensation payment, the EMA has to co-operate with DCCs to prepare compensation minutes according to the form agreed by ADB specialist. Besides representatives of DCCs, the investor and the IMA, both husband and wife of each HH have to sign this payment minute. This requirement is early supposed as a simple issue. However when discussing with DCCs in Dong Nai province, all 4/4 DCCs supposed that it was difficult. The reasons are: (i) they haven't applied this requirement previously; (ii) According to the Land Law 2003, the compensation cost will be only paid for the person whose name is stated in the LURC. But most of LURCs at the districts have only one person; (iii) Properties belonging to a person before marriage, private or inherited properties; (iv) Land is a big property of a HH. When population is increasing, loss of land always accompanies with many long-term risks. That's why many HHs don't want to lose their land. Therefore, it is difficult to convince them to receive compensation. Meanwhile, many requirements are set up that may cause refusal from some HHs and late implementation progress of the project; (v) A person (husband or wife) of some couples may work far away, so they can't sign the authorized letter. Although at the beginning, DCCs supposed it was difficult to implement, after being convinced by the investor and the EMA, all DCCs agreed. To take advantage for the

<sup>3</sup> Pay compensation from August 4<sup>th</sup> 2009 after updated RPs had been approved

payment, in invitation letters, HHs are required to prepare and bring following papers: (i) ID; (ii) family-register; (iii) LURC; (iv) authorized letter if one of the couple is absent... As a result, most of compensation payment minutes were signed by both husband and wife. Some minutes not signed sufficiently have suitable reasons. Representatives of the investor and the IMA always presented to witness payments

### 3.3 Resettlement

#### 3.3.1 The relocation need through DMS and consultation

The preparation of resettlement sites is often based on need of PAHs, where there are many PAHs wish to be relocated to resettlement sites. The need is often identified via consultation with PAHs during the RP preparation. The official figure of the resettlement need is often identified though DMS, public consultation and compared with resettlement criteria. The resettlement need of PAHs until August 31<sup>st</sup> 2009 is represented below:

Table 15. Resettlement need through DMS

No	Locality	Number of PAHs	HHs want to relocate at resettlement sites <sup>4</sup>
<b>I.</b>	<b>District 9 - HCMC</b>	<b>220</b>	<b>24</b>
1	Phu Huu ward	103	6
2	Long Truong ward	51	8
3	Long Phuoc ward	62	10
4	Truong Thanh	4	0
<b>II.</b>	<b>Nhon Trach district - Dong Nai</b>	<b>63</b>	<b>0</b>
1	Phuoc Thien commune	63	0
<b>III</b>	<b>Long Thanh district - Dong Nai</b>	<b>460</b>	<b>293</b>
1	Binh Son commune	42	Until August 31 <sup>st</sup> 2009, number of PAHs who need and satisfy criteria to relocate at resettlement sites wasn't identified officially. However, as initial figure, about 293 HHs want to relocate at resettlement sites
2	Binh An commune	16	
3	Tam An commune	52	
4	An Phuoc commune	38	
5	Long Thanh townlet	102	
6	Long An commune	210	
<b>IV</b>	<b>Cam My district – Dong Nai</b>	<b>186</b>	<b>0</b>
1	Song Nhan commune	186	0
<b>V</b>	<b>Thong Nhat district – Dong Nai</b>	<b>157</b>	<b>6</b>
1	Xuan Thanh commune	139	6
2	Lo 25 commune	18	0
	<b>Total</b>	<b>1,086</b>	<b>323</b>

<sup>4</sup> The official figure will be reviewed and approved by districts to suit the criteria of the districts

In general, a large number of PAHs wanted to relocate to resettlement sites, the most was in Long Thanh district. However, this figure may be changed after the DMS is finished and DCCs check with resettlement criteria.

DCCs were reviewing records of PAHs to check if a HH satisfies criteria to relocate at resettlement sites or not. In district 9, until August 31<sup>st</sup>, 2009, 96 HHs had been reviewed documents, of which only 3 HHs met the criteria. In Long Thanh district, the figure was two in the first payment phase. Thong Nhat district had 6 HHs. All 4 relocated HHs in Cam My district choose self-relocation. According to regulations of Dong Nai province's PC, a self-relocation HH will be assisted 60,000,000 VND/HH to main HH and 25,000,000-30,000,000 VND/HH for HH who is dependent of the main HH. In Nhon Trach, there were no relocated HHs.

### 3.3.2 Resettlement sites

Table 16. Resettlement sites

No	Locality	HHs expect to relocate to resettlement site	Planned resettlement sites
<b>I.</b>	<b>District 9 – HCMC</b>	<b>24</b>	
1	Phu Huu ward	6	- At block L belonging to Long Buu - Long Binh site, district 9 - Apartment building C4, Hiep Phu ward, district 9
2	Long Truong ward	8	
3	Long Phuoc ward	10	
4	Truong Thanh ward	0	
<b>II.</b>	<b>Nhon Trach district</b>	<b>0</b>	
1	Phuoc Thien commune	0	
<b>III</b>	<b>Long Thanh district</b>	<b>293</b>	
1	Binh Son commune	293 HHs (as predicted)	Will have 2 sites: - Lien Kim Son site at Long Thanh townlet, Long Thanh district was intended to arrange for 80 PAHs; - Long An site at Long An commune, Long Thanh district was intended to arrange for 236 PAHs
2	Binh An commune		
3	Tam An commune		
4	An Phuoc commune		
5	Long Thanh townlet		
6	Long An commune		
<b>IV</b>	<b>Cam My district</b>	<b>0</b>	
1	Song Nhan commune	0	No need
<b>V</b>	<b>Thong Nhat district</b>	<b>6</b>	
1	Xuan Thanh commune	6	Xom Ho A site at Hung Loc commune, Thong Nhat district
2	Lo 25 commune	0	

### 3.3.3 Progress of the resettlement sites preparation

Resettlement sites for HLD expressway project were identified. Some were available to arrange PAHs.

Table 17. Progress of resettlement sites preparation

No	Locality	Planned resettlement sites	Implementation progress
I	District 9	<ul style="list-style-type: none"> <li>- Apartment building C4 belonging to Man Thien resettlement site</li> <li>- Long Buu - Long Binh resettlement site</li> </ul>	Available
II	Long Thanh district	<ul style="list-style-type: none"> <li>- Lien Kim Son site at Long Thanh townlet, Long Thanh district</li> <li>- Long An site at Long An commune, Long Thanh district</li> </ul>	<ul style="list-style-type: none"> <li>- The Lien Kim Son site was in the main completed and could be allocated for 80 HHs immediately.</li> <li>- The Long An site: Dong Nai province's PC approved the project via the decision No. 951/QĐ-UBND dated April 8<sup>th</sup> 2009.</li> </ul>
III	Thong Nhat district	Xom Ho A site at Hung Loc commune, Thong Nhat district	<ul style="list-style-type: none"> <li>- Started construction on October 23<sup>rd</sup> 2008</li> <li>- Some infrastructures were finished, including: road, electric, water system, park...</li> <li>- Available</li> </ul>

In district 9, the DCC had a meeting to review the price unit for selling resettlement plot/apartment. The price unit was built based on formal price valuation certificates provided by external valuers. The DCC submitted the cost to PC of HCMC for approval.

### 3.4 Existing issues/difficulties in localities

#### 3.4.1 Some PAHs weren't carried out DMS

There are two main reasons that caused the late DMS progress: (i) Firstly, that is the land management in the localities. In the project area, some HHs had purchased their land but not announced to local authorities, therefore authorities couldn't update in time and finally issue of land acquisition decisions of the district's PC was not correct. It has to adjust the land acquisition decisions many times due to wrong plots, boundary measurement, wrong land category and/or wrong name. That impacts to the DMS progress. 144 HHs in Long Thanh district weren't carried out DMS and Dong Nai province's Land Technique Center was adjusting technical records of these plots so that Long Thanh district's PC could adjust land acquisition decisions and the DCC will carry out the DMS; (ii) Secondly, some intersections between the expressway with small roads was only identified in technical design stage, so technical records of these plots were being completed. Therefore, these plots couldn't be finished the DMS.

### **3.4.2 Paying the assistance for career change in Dong Nai province and expectation of PAHs**

According to policy framework of the project, to HHs who directly do farming and are acquired more than 10% agricultural land will be assisted for career change.

As stated in Decision No. 26/2008/QĐ-UBND dated April 7<sup>th</sup> 2008 issued by Dong Nai province's PC, the assistance for career change will not be paid directly for PAHs, DCCs have to transfer to training vocational center to organize training courses for eligible APs.

The document No. 600/STC-GCS dated March 31<sup>st</sup> 2009 issued by Dong Nai province's Finance Department provides the guideline to carry out the policy about assistance for career training and job creation; policy about decreasing tuition fees when the State acquires land, it states that *"To policy about assistance for career training and job creation, if the eligible APs aren't able to attend the training (due to the elderly, health or other special reasons), the Chairman of district's PC should consider to pay directly for the APs"*. It means that the Finance Department doesn't also force DCCs to transfer the assistance for career change to training vocational centers.

Through monitoring on payment in Long Thanh and Nhon Trach districts, most of PAHs preferred to be paid directly the assistance. If the assistance is transferred to the vocational centers, it means that the expectation of PAHs isn't satisfied, that will impact to the payment progress. Some HHs supposed that if they are paid directly the assistance for career change, they will receive the compensation, if not, they will not agree.

### **3.4.3 It is inconvenient to request both husband and wife to receive a small bonus for handing over their plane in a timely manner**

Until September 2009, DCC of district 9 has begun to pay the bonus for HHs who hand over their plane in a timely manner. The bonus is only a small amount of 2.5 million VND/HH (less than 150 USD) and not paid coincidentally with paying compensation. It is only paid after HHs received compensation and handed over the plane in a timely manner. However, according to the project's policy, the payment is required the presence and signatures of both husband and wife. Many HHs very far from DCC have expressed unpleasingness as requested both signatures of wife and husband.

### **3.4.4 Some plots in Thong Nhat district didn't have technical records**

Although detailed compensation options of 144 HHs in Thong Nhat district were submitted to Dong Nai PC for approval, it has not been approved yet due to lack of technical records of 24 plots. The 24 plots had belonged to Cam My district previously, due to adjusting official border between the two districts (Thong Nhat and Cam My), the 24 plots belongs to Thong Nhat district now. Until August 31<sup>st</sup> 2009, technical records of the 24 plots hadn't been completed yet.

### **3.4.4 Preparation progress of Long An site was very late**

The Long An resettlement site locates at Long An commune, Long Thanh district, Dong Nai province. This is the most important resettlement site of the project. As planed, 236 HHs in Long Thanh district will be resettled at the site. Due to a large number of PAHs,

the late preparation progress of the Long An site will impact to construction progress of the project.

The FS report of the site was approved by Dong Nai province's PC on April, 8<sup>th</sup> 2009. It is a big project; therefore it is absolutely necessary to tender for construction, especially when the loan is financed by ADB. However, according to Long Thanh district's PC, it will take about 2 years to complete infrastructure for the Long An site with 27.9 ha if they comply with tender procedures.

In order to hasten progress of the Long An site's construction, many meetings have been held with presence of stakeholders including MOT, Dong Nai province's PC and VEC to find out solutions such as asking permission of the Prime Minister for nominating a contractor without tendering, but it isn't feasible since ADB will not agree to use the loan without tendering.